

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FRANKLIN V. ZURZOLO,
Plaintiff(s),

v.

09cv0535
ELECTRONICALLY FILED

GERALD L. ROZUM, THE ATTORNEY
GENERAL OF THE STATE OF
PENNSYLVANIA, THE DISTRICT
ATTORNEY OF THE COUNTY OF BUTLER,
Defendant(s).

**ORDER OF COURT ADOPTING REPORT AND RECOMMENDATION RE:
PETITION FOR WRIT OF HABEAS CORPUS (Doc. No. 1).**

On April 27, 2011, Magistrate Judge Francis X. Caiazza issued a Report and Recommendation re: Plaintiff's Petition for Writ of Habeas Corpus (Doc. No. 1) recommending that the Section 2254 habeas petition be denied and that a certificate of appealability likewise be denied. Doc. No. 27. Objections to the Report and Recommendation were due by May 16, 2011. *See* Doc. No. 27. No objections have been filed.

After *de novo* review of the pleading and the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 18th day of May 2011, IT IS HEREBY ORDERED that Plaintiff's Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**. The April 27, 2011, Report and Recommendation of Magistrate Judge Caiazza is adopted as the Opinion of the District Court.

The Clerk of Court shall mark this case **CLOSED**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

The Honorable Francis X. Caiazza, United States Magistrate Judge

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